

FILED

JUL 26 2005

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 11 Intel Corporation

RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

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 2 UNITED STATES DISTRICT COURT  
 3 NORTHERN DISTRICT OF CALIFORNIA  
 4 SAN FRANCISCO DIVISION

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 6 DAVID E. LIPTON and DANA F.  
 7 THIBODEAU, individually and on behalf of all  
 8 others similarly situated,  
 9 Plaintiffs,  
 10 v.  
 11  
 12 INTEL CORPORATION, a Delaware  
 13 corporation,  
 14 Defendant.

No. C-05-2669

15 STIPULATION AND [PROPOSED]  
 16 ORDER TO CONTINUE FILING DATE  
 17 FOR DEFENDANT'S RESPONSE TO  
 18 PLAINTIFFS' COMPLAINT

19 IT IS STIPULATED BY AND BETWEEN THE PARTIES, THROUGH THEIR  
 20 COUNSEL AS FOLLOWS:

21 Pursuant to Civil Local Rule 6-2, Plaintiffs David E. Lipton and Dana F.  
 22 Thibodeau and Defendant Intel Corporation hereby stipulate that Intel Corporation's response to  
 23 Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case  
 24 pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section  
 25 1407 or, in the alternative, 45 days after any such motion has been denied. The parties request  
 26 this transfer because the plaintiff in *Brauch, et al. v. Intel Corp.*, No. C 05-2743 (E.D. (N.D.

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STIPULATION AND [PROPOSED] ORDER TO CONTINUE RESPONSE DATE

1 Cal., filed July 5, 2005), a related matter, have filed a petition to coordinate or consolidate pre-  
2 trial proceedings per 28 U.S.C. Section 1407, and the above-styled action has been identified as a  
3 related action to that petition. As a result the outcome of the pending petition will impact  
4 significantly the schedule of this case.

5 This is the first stipulation between the parties. Because this litigation has just  
6 begun, granting such a stipulation will not have any negative impact on the schedule of this case.

7 **IT IS HEREBY STIPULATED.**  
8 DATED: July 1, 2005

9 Bingham McCutchen LLP

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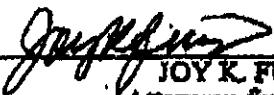
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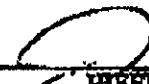
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By:   
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Attorneys for Defendant  
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JEFFREY F. KELLER  
Attorneys for Plaintiffs  
David E. Lipton and Dana F. Thiebedeau

JUL 20 2005 10:49AM FROM BINGHAM MCCUTCHEON - SF Case 3:05-cv-02669-MHP Document 415543 Filed 07/20/2005 Page 3 of 3 0-304  
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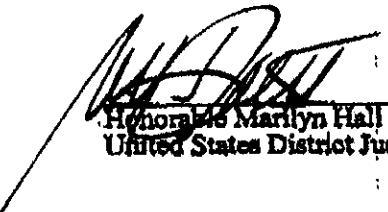
2 **[PROPOSED] ORDER TO CONTINUE DEFENDANT'S RESPONSE DATE**

3 IT IS HEREBY ORDERED that Defendant Intel Corporation's response to  
4 Plaintiff's complaint shall be due either 60 days after transfer of the above captioned case  
5 pursuant to any motion to coordinate or consolidate pre-trial proceedings per 28 U.S.C. Section  
6 1407, or, in the alternative, 45 days after any such motion has been denied.

7 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

8 Dated: July 25, 2005

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Honorable Marilyn Hall Patel  
United States District Judge

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